

**Fill in this information to identify the case:**

Debtor 1 Stephen F. Banhidv

Debtor 2 Heather M. Banhidv  
(Spouse, if filing)

United States Bankruptcy Court for the: Northern District of Ohio

Case number 17-14287-jps

Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

U.S. Bank Trust National Association,  
Name of creditor: as Trustee of the Tiki Series III Trust

Court claim no. (if known): 2-1

Last 4 digits of any number you use to  
identify the debtor's account: 4 5 1 1

Date of payment change:  
Must be at least 21 days after date  
of this notice 06/01/2019

New total payment: \$ 1,347.29  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 717.81 New escrow payment: \$ 527.39

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1

**Stephen F. Banhidy**

First Name Middle Name Last Name

Case number (if known) **17-14287-jps****Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Molly Slutsky Simons

Signature

Date **04/19/2019**

Print:

**Molly Slutsky Simons**

First Name Middle Name Last Name

Title **Attorney for Creditor**

Company

**Sottile & Barile, Attorneys at Law**

Address

**P.O. Box 476**

Number Street

**Loveland**

City

**OH**

State

**45140**

ZIP Code

Contact phone

**513-444-4100**Email **bankruptcy@sottileandbarile.com**

Analysis Date: April 12, 2019

STEPHEN F BANHIDY  
HEATHER M BANHIDY  
C/O JAMES M MCCLAIN  
105 COURT ST UNIT 321  
ELYRIA OH 44035

Loan: XXXXXXXXXX

Property Address:  
27226 COOK ROAD  
OLMSTED FALLS, OH 44138

### Annual Escrow Account Disclosure Statement Account History

This is a statement of actual activity in your escrow account from Sept 2018 to May 2019. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information	Current:	Effective Jun 01, 2019:
Principal & Interest Pmt:	819.90	819.90
Escrow Payment:	717.81	527.39
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$1,537.71	\$1,347.29

Escrow Balance Calculation	
Due Date:	Apr 01, 2019
Escrow Balance:	2,153.43
Anticipated Pmts to Escrow:	1,435.62
Anticipated Pmts from Escrow (-):	0.00
Anticipated Escrow Balance:	\$3,589.05

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	0.00	(13,562.41)
Sep 2018				984.00	* Homeowners Policy	0.00	(14,546.41)
Oct 2018		124.27			* Escrow Only Payment	0.00	(14,422.14)
Oct 2018		1,127.66			*	0.00	(13,294.48)
Oct 2018		132.92			* Escrow Only Payment	0.00	(13,161.56)
Nov 2018		2,255.32			*	0.00	(10,906.24)
Nov 2018		846.02			* Escrow Only Payment	0.00	(10,060.22)
Dec 2018		12,368.77			* Escrow Only Payment	0.00	2,308.55
Dec 2018				2,308.55	* County Tax	0.00	0.00
Jan 2019		717.81			*	0.00	717.81
Feb 2019		717.81			*	0.00	1,435.62
Mar 2019		717.81			*	0.00	2,153.43
					Anticipated Transactions	0.00	2,153.43
Apr 2019		717.81					2,871.24
May 2019		717.81					3,589.05
	\$0.00	\$20,444.01	\$0.00	\$3,292.55			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling \$0.00. Under Federal law, your lowest monthly balance should not have exceeded \$0.00 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Analysis Date: April 12, 2019

STEPHEN F BANHIDY

Loan: XXXXXXXXXX

**Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	3,589.05	4,020.11
Jun 2019	527.39	984.00	Homeowners Policy	3,132.44	3,563.50
Jul 2019	527.39	3,036.11	County Tax	623.72	1,054.78
Aug 2019	527.39			1,151.11	1,582.17
Sep 2019	527.39			1,678.50	2,109.56
Oct 2019	527.39			2,205.89	2,636.95
Nov 2019	527.39			2,733.28	3,164.34
Dec 2019	527.39			3,260.67	3,691.73
Jan 2020	527.39	2,308.55	County Tax	1,479.51	1,910.57
Feb 2020	527.39			2,006.90	2,437.96
Mar 2020	527.39			2,534.29	2,965.35
Apr 2020	527.39			3,061.68	3,492.74
May 2020	527.39			3,589.07	4,020.13
	<u>\$6,328.68</u>	<u>\$6,328.66</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of \$1,054.78. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed \$1,054.78 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is \$3,589.05. Your starting balance (escrow balance required) according to this analysis should be \$4,020.11. This means you have a shortage of \$431.06. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to do nothing.

We anticipate the total of your coming year bills to be \$6,328.66. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

**New Escrow Payment Calculation**

Unadjusted Escrow Payment	527.39
Surplus Amount:	0.00
Shortage Amount:	0.00
Rounding Adjustment Amount:	0.00
Escrow Payment:	<u>\$527.39</u>

NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE: If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

**\* Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated**

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CLEVELAND DIVISION**

In Re:

Case No. 17-14287-jps

Stephen F. Banhidy  
Heather M. Banhidy

Chapter 13

Debtor(s).

Judge Jessica E. Price Smith

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**CERTIFICATE OF SERVICE**

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I certify that on April 19, 2019, a true and correct copy of this Notice of Mortgage Payment Change was served: Via the Court's ECF System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

James M. McLain, Debtors' Counsel  
Mcclain2@windstream.net

Lauren A. Helbling, Trustee  
ch13trustee@ch13cleve.com

Office of the U.S. Trustee  
(registeredaddress)@usdoj.gov

And by regular U.S. Mail, postage pre-paid on:

Stephen F. Banhidy, Debtor  
Heather M. Banhidy, Debtor  
27226 Cook Rd.  
Olmsted Twp., OH 44138

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (0083702)  
Sottile & Barile, Attorneys at Law  
P.O. Box 476  
Loveland, OH 45140  
Phone: 513.444.4100  
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Attorney for Creditor